

REMARKS

Claims 1-27 are all the claims pending in the application.

Applicant thanks the Examiner for indicating that claims 1-24 are allowed.

Claim rejections -- 35 U.S.C. § 101

Claims 25-27 stand rejected under 35 U.S.C. § 101. Specifically, the Examiner argues that a computer data signal embodied in a carrier wave is non-statutory. Applicant respectfully traverses this rejection.

With respect to claims 25 and 27, claims 25 and 27 are directed to a recording medium and a program product, respectively. As indicated at MPEP § 2106.01, a recording medium storing a program of instructions executable by a computer and a program product comprising computer readable instructions to enable a computer to perform a program both recite “functional descriptive material”, and is hence, statutory. Accordingly, Applicant respectfully submits that claims 25 and 27 are directed to statutory subject matter and are thus in condition for allowance.


With respect to claim 26, Applicant notes that the September 28, 2006 Amendment amended claim 26 to recite that the computer data signal is embodied in a “recording medium” and represents a sequence of instructions which, when executed, cause the processor to perform the method. Thus, Applicant respectfully submits that claim 26 also recites “functional descriptive material” under MPEP § 2106.01, and thus is directed to statutory subject matter. Accordingly, Applicant respectfully submits that claim 26 is also in condition for allowance.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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